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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/681,459	10/07/2003	Michael E. Knox	H1020-1	9363
7590 05/13/2005			EXAMINER	
Herbert F. Ruschmann 2 Surrey Place East Norwich, NY 11732			SHAKERI, HADI	
			ART UNIT	PAPER NUMBER
			3723	

DATE MAILED: 05/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/681,459

Applicant(s)

KNOX ET AL.

Examiner

Hadi Shakeri

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) 4, 9-23 and 26-45 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 24 and 25 is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 052404.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election with traverse of Species I in the reply filed on 02/11/05 is acknowledged. The traversal is on the ground(s) that the species are ~~so~~ related that the efficiency of prosecution would be served by removal of the restriction requirement and that the entire application can be searched and examined without serious burden. This is not found persuasive because different species as indicated would require different search, e.g., search for a ratcheting pawl, i.e., species V, Figs. 8a and 8b is not required for the species I. It is further noted that while claims 24 and 25 are generic, claims 26, 28 and 29 do not correspond to species I, i.e., embodiment of Fig. 14 (not requiring split ring disposed around the inner ring assembly), embodiment of Figs. 10 a and 10b (wherein the second engaging member is a pin 80a), therefore claims 26-29 are also withdrawn as non-elected claims.

The requirement is still deemed proper and is therefore made FINAL.

### ***Drawings***

2. The drawings are objected to under 37 CFR 1.84(i). Lines, numbers and letters are not uniformly thick and well defined, clean and durable, and black (poor line quality), Figs. 1-16b.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the

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renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

3. The disclosure is objected to because of the following informalities: on page 14, lines 13-15, reference character (50) is used to refer to "case face side", "inner holding ring" and "outer ring wall".

Appropriate correction is required.

### ***Claim Objections***

4. Claims 24 and 25 are objected to because of the following informalities: "said first and second engaging surfaces" (line 13) and "said first engaging surface" (line 15) should be change to, -- said at least one first and second engaging surfaces--, and --said at least one first engaging surface--. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

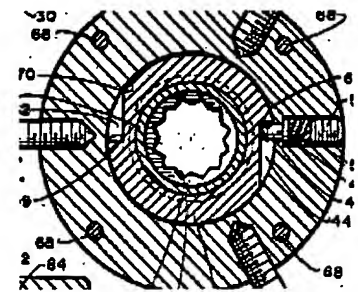
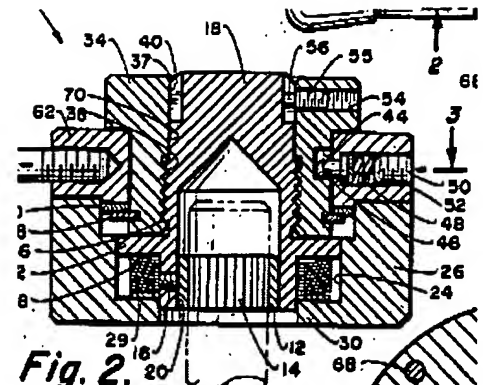
A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 24 and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Beymer (4,552,042).

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Beymer discloses all of the limitations of claim 24, i.e., a housing, an inner ring assembly (34) with at least one engaging surface (42, 44) rotatably disposed in the housing; a movable member (46) coming into and out of engagement with the first engaging surface when the inner ring rotates relative to the housing rotating the first engaging surface about the torque axis with it; the engaging surfaces being disposed to effect engagement along a surface path slanted relative to a tangent to an intersection of the circumferential path of travel of the first engaging member and a path of travel of said movable member, i.e., cam surface slanted when rotated CCW relative to the state shown in Fig. 3; and an adjustable biasing device (50, 48) for biasing the movable member toward the first engaging surface. It is noted that the narrative language, "such that..." is not considered to further limit the claim, and also noted that the device of Beymer includes means to adjust the level of torque being applied, (28, 30, 32 and 34)



Regarding claim 25, Beymer meets the limitations, slidable pawl.

### ***Allowable Subject Matter***

7. Claims 1-3, 5-7 and 8 are allowed.
8. The following is a statement of reasons for the indication of allowable subject matter: ring assembly including at least one pin eccentrically disposed engaging a slanted surface of the movable member as recited in addition to the other limitations place these claims in condition for allowance.
9. It is noted that claims 38-45 are not in proper format, with regards to rejoining the non-elected claims to allowed claims, i.e., claims 38, 40, 42 and 44 should be re-written in

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independent format, e.g. as combination claims, reciting all the limitations of the torque device in lieu of the reference to "claim 1" or (amended) "claim 24" and the fees for extra independent claims should be paid.

10. It is further noted that claim 24 reciting an adjustable torque means, or adjustable biasing device for adjusting the level of torque operatively connected to said movable member, would read over prior art of record. It is further noted that claims 9 and 30 depending on allowable subject matter should be amended to better define the invention, or to remove ambiguity, i.e., a pivotable pawl vs. slidable, by for example reciting, ..."wherein said slidable (movable) member is further pivotably disposed in said housing enabling ratcheting of said inner ring assembly relative to said housing"

### ***Conclusion***

11. Prior art made of record and not relied upon are considered pertinent to applicant's disclosure. Graffin and Habele are cited to show related inventions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hadi Shakeri whose telephone number is (571) 272-4495. The examiner can normally be reached on Monday-Thursday.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Hadi Shakeri  
Primary Examiner  
Art Unit 3723  
May 6, 2005